In regard to the need for declaring Barawafat as a public holiday, the file is now before me and I was waiting to hear your representations on the subject in this Assembly before I took it up for disposal. I must say, there are two aspects of the question which strike me. One is that examinations may be held on Barawafat day which students may have to attend or lose them if they do not attend. The other is that there might be litigation in courts posted on that particular day and Muhomedans who might be parties to the litigation will be faced with the dilemma of breaking the Barawafat or losing their case in courts. These are fresh aspects of the question and hence I shall take up the matter afresh.

Then, you have already heard what I have said on Muslims and the public service and nominations to be made to the Assembly so far as Muslims are concerned.

As to the last point, I understand that the site is the subject of a law suit. Will you consider the question and hand the site over to the Education Department.? The question of a school there will at once be brought to the Director's attention.

161. Disabilities of the Muslims in general and of some public servants in particular.

MR. N. ABDUR RAHIMAN SAHIB (*Member, Nominated*) said that as the constituenices for the Legislative Council were formed at present no Muslim could expect to be returned to it by means of a general election. In the sitting Council there was indeed one elected Muhommedan member, but that was an exceptional case. No generalisation should be made from that single instance. In order to guarantee a proper representation to the Muslim community in the Legislative Council, two separate Muslim constituencies should be formed.

More encouragement should be granted to the Muslims in regard to entertainment in the Public Service. There were no Muslim offieers of high status in the Excise or the Education Departments. In the Judicial Department, Muslims could not get a fair representation as the basis of recruitment into that Department was representation in turn of the following communities *viz.*, Brahmins, Nayars, Christians, and 'others.' Muslims came under the latter group and had to take their chance along with so many other communities. In the High Court particularly, a Muslim should be appointed as a Judge. A Muhommedan Judge was better qualified than others to interpret and apply the canons of the Koran. If no competent Muslim could be found in the State to fill the place, some one should be taken from outside.

The pay of the subordinates of the Anchal Department should be revised. The Anchal Department was a commercial department, and a part of its profits could be utilised for raising the pay of its officers. The Anchal Superintendent had submitted a scheme for the purpose to Government and provision had been made accordingly in the Budget. This scheme should be sanctioned as early as possible.

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Barawafat should be declared a public holiday throughout the State. It was already a holiday for the Posts and Telegraphs Department and for the Imperial Bank of India.

A Muslim teacher should be appointed for giving moral and religious instruction to the Muslim convicts in the Central Prison, if possible, on the same conditions as the Hindu instructors working in the Prison.

Persons holding the same qualifications and working as clerks in different offices should be given the same rates of pay. At present there was no uniformity in the pay given to clerks holding the same qualifications in the different offices. A graduate clerk in the Huzur office got a pay of Rs. 40, whereas a clerk having the same qualification in the Division Cutcherry got only Rs. 25 Such disparisties should not be allowed to exist. In the case of undergraduate clerks also there should be uniformity of pay.

DEWAN'S REPLY: Mr. Abdur Rahiman Sahib, I have already touched upon the question of representation in the Legislative Council of Muhommedans and also the question of their representation in the public service.

I have also dealt with the question of a holiday on the Barawafat day.

And now comes the question of the appointment of a Mussalman to give religious instruction to the Mussalman convicts in the Central Prison. I believe there are now arrangements working very satisfactorily under which ministers of the different Christian denominations pay regular visits to the Jail to instruct the members of their respective denominations and to conduct worship for them on particular days. If there are Moulvies who are desirous of doing this good work for the Mussalman convicts, I shall give instructions to give them all convenience to minister to the Mussalman convicts.

In regard to the revision of the pay of the clerks of the Anchal Department, that is under examination between Government and the head of the department responsible for its working.

Your other suggestion about the pay of clerks in general was most extraordinary. I was wondering whether I was hearing you correctly. There are clerks of several kinds and with varied duties and responsibilities. I do not suppose that the Clerk to the Privy Council or the Clerk of the House of Commons is the same as a Post Office clerk. The generic name 'clerk' covers a variety of occupations some of no importance, some of supreme importance, some purely of a routine character, others demanding initiative, reasoning and constructive suggestion. You say that because the clerk in the Huzur Cutcherry gets a particular start and is paid a particular scale of pay, the smallest Pakuthi Cutcherry clerk or of an Excise Sub-office should get the same start and the same scale of pay. That is too preposterous to be taken seriously. The payment to clerks is not in accordance with their qualifications alone, but is determined by the work they are called upon to do. The

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clerk of the Huzur Cutcherry has to do work of a charcater and nature which will never fall to the lot of a clerk of the Taluk Cutcherry or the Munsiff's Court or the Anchal office. And on this question you have brought home to me very forcibly that these are matters on which Government and their officers are the best judges, and gentlemen like you, however well-intentioned, cannot possibly judge such things without intimate knowledge of the work. I think these are matters which may safely be left to the Government.

162. Grant of facilities for the educational and economic advancement of the Muslims of Kunnathnad.

MR. ATHAN AHAMMED (*Member, Kunnathnad taluk, Group II*) said that Kunnathnad was one of the taluks in which Muhommedans lived in large numbers. As in other taluks, so in this taluk also the Muhommedan inhabitants were far behind others in point of education. As a means of encouraging the spread of education among them, their pupils should be exempted from payment of fees. Arabic munshies should also be appointed in the various schools in the taluk.

The 'Kodikuthu' ceremony conducted in certain mosques which led not rarely to riots and bloodshed should either be stopped or it should be allowed to be held only with the sanction of Government.

Poramboke sites adjoining mosques should be granted to them for opening cemeteries etc. An area of 5 acres out of the Poramboke site adjoining the newly opened mosque in S. No. 1/360-4 in the Vengola pakuthi should be gifted to the mosque and other concessions in the form of endowments should also be granted to it.

Friday should be declared a full holiday for Muslims.

DEWAN'S REPLY: Mr. Athan Ahammed, let a deputation of your community meet me on the subject of these cemeteries and then I shall take up the question for consideration. The registry of poramboke lands adjoining the cemeteries will also be considered if you put in an application for the purpose. I shall consult the High Court in regard to the arrangement of work on Fridays.

163. Muslims and the public service with special reference to the Judicial Department.

MR. M. A. NAVURKHANI ROWTHER (*Member, Nominated*) thanked the Dewan for having appointed a Muslim as a Munsiff. Speaking about the general representation of the Muslim community in the public service, he said that that community was still far behind others. Nor was this due to paucity of qualified men among them. There were many graduates-in-law at present in the community. They were kept out only by the apathy of heads of departments. Government should issue stringent instructions to all their subordinates to accord sufficient encouragement to the Muslim community. A Muslim should particularly be appointed as a District Judge and another as a High Court Judge.

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